

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

MATTHEW KOTILA, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CHARTER FINANCIAL PUBLISHING  
NETWORK, INC.,

Defendant.

Case No. 1:22-cv-00704-PLM-RSK

Hon. Paul L. Maloney

**APPLICATION FOR CLERK'S  
ENTRY OF DEFAULT**

**PLAINTIFF'S APPLICATION FOR CLERK'S ENTRY  
OF DEFAULT PURSUANT TO FED. R. CIV. P. 55(a)**

Plaintiff Matthew Kotila, individually and on behalf of all others similarly situated, respectfully submits this application for a Clerk's entry of default against Defendant Charter Financial Publishing Network, Inc. pursuant to Federal Rule of Civil Procedure 55(a).

As demonstrated by the record in this action and the declaration of E. Powell Miller (and accompanying exhibits) attached hereto as **Exhibit A**, Defendant Charter Financial Publishing Network, Inc. has failed to answer, respond to, or otherwise defend this action within the time specified in Federal Rule of Civil Procedure 12(b)(1)(A).

Accordingly, Plaintiff, individually and on behalf of the proposed class, moves for a Clerk's entry of default against Defendant pursuant to Federal Rule of

Civil Procedure 55(a). A proposed order entering Clerk's default against Defendant is attached hereto as **Exhibit B**.

Dated: September 28, 2022

Respectfully submitted,

/s/ E. Powell Miller

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*Counsel for Plaintiff & Putative Class*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on September 28, 2022, a true and correct copy of the foregoing was served by electronic service via the Court's CM/ECF service on all counsel or parties of record on the service list in the above-entitled action. I further certify that a true and correct copy of the foregoing is being sent this same date to the persons listed below via prepaid first-class U.S. Mail:

- Charter Financial Publishing Network, Inc., c/o Cogency Global,  
850 New Burton Road, Suite 201, Dover, DE 19904

/s/ E. Powell Miller

E. Powell Miller